

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRUCE KUEHN,

Plaintiff,

v.

COUNTY OF SANTA CRUZ, ET AL.,

Defendants.

Case No.: 4:13-cv-04566-YGR

**ORDER OF DISMISSAL FOR FAILURE TO
PROSECUTE**

On January 8, 2014 and February 6, 2014, this Court issued orders warning Plaintiff of his obligation under the Federal Rules of Civil Procedure to serve summonses on Defendants in this action by January 30, 2014. (Dkt. Nos. 7 and 8.) In both Orders, Plaintiff was warned that his failure to timely serve Defendants may be grounds for dismissal of this action. (*Id.*)

In its February 6, 2014 Order, this Court set a compliance hearing for February 21, 2014, concerning Plaintiff's intention to prosecute this action. (Dkt. No. 8.) Plaintiff was instructed to file either (1) a notice of service of summonses, or (2) a statement setting forth an explanation for his failure to serve Defendants no later than February 14, 2014 in order to have his appearance at the compliance hearing excused. (*Id.*) Plaintiff filed neither a notice of service nor a statement explaining his failure to serve Defendants. On February 21, 2014, Plaintiff did not appear for the compliance hearing.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

1 **IT IS SO ORDERED.**

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3 Dated: February 21, 2014



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California

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